

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BOARD OF TRUSTEES OF THE OMAHA
CONSTRUCTION INDUSTRY PENSION
PLAN,

Plaintiff/Counter Defendant,

vs.

MCGILL RESTORATION, INC.,

Defendant/Counter-Claimant.

8:18CV366

THIRD AMENDED
CASE PROGRESSION ORDER

This matter comes before the Court on the parties' Corrected Joint Motion to Extend Deadlines in Progression Order ([Filing No. 45](#)). After review of the parties' motion, the Court finds good cause to grant the requested extensions. Accordingly,

IT IS ORDERED that the Corrected Joint Motion to Extend Deadlines in Progression Order ([Filing No. 45](#)) is granted, and that the case progression order is amended as follows:

- 1) The status conference scheduled for March 16, 2020 is cancelled. A status conference to dispositive motions, the pretrial conference and trial dates, and settlement status will be held with the undersigned magistrate judge on **April 3, 2020, at 11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deposition deadline is **April 17, 2020.**
- 3) The deadline for filing motions to dismiss and motions for summary judgment is **May 29, 2020.**
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **May 29, 2020.**
- 5) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 6) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 6th day of February, 2020.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge